

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JULIO DIAZ	:	CIVIL ACTION
	:	
v.	:	NO. 18-104
	:	
CITY OF PHILADELPHIA, <i>et al.</i>	:	

ORDER

AND NOW, on this 30th day of March 2018, upon considering Defendant Bruce Herdman's Motion to Dismiss (ECF Doc. No. 10) with no timely Opposition and for reasons in the accompanying Memorandum, it is **ORDERED** Defendant Herdman's Motion (ECF Doc. No. 10) is **GRANTED** without prejudice to Plaintiff filing an amended complaint no later than **April 12, 2018** if he can plead facts showing Defendant Herdman's liability consistent with our accompanying Memorandum and Fed.R.Civ.P. 11.



KEARNEY, J.